

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

GRAHAM-FIELD, et al.,
Plaintiffs,

vs.

CIVIL NO. 98-1306 (DRD)

TUFFCARE, INCORPORATED,
Defendant.

ORDER

The Court considers Docket #101, "Plaintiffs' Motion to Set Aside the Stay of Proceedings and to Reinstate Plaintiffs' Motion for Summary Judgment."

The Court originally stayed these proceedings (Docket #95) due to the Court's belief that Plaintiffs had not met a Court imposed deadline to Show Cause (Docket #91) why they in fact should not be stayed (given parallel bankruptcy proceedings). The Court's Order staying proceedings also denied, without prejudice, Plaintiffs' Motion for Summary Judgment (Docket #67).

Through the Motion at Bar Plaintiffs explain that they never received the Order to Show Cause nor the Order Staying the Proceedings, because they had moved their offices, and hence the court documents were being sent to a wrong address. The Court is convinced that the cause for this mistake was the Court's not properly entering the data submitted in Plaintiffs' Informative Motion (Docket #85), which so advised of the address change.

The Court's Order to Show Cause requested the production of documentary evidence supporting Plaintiffs' assertion that they were authorized by the Bankruptcy Court to continue this action, and that Plaintiffs' counsel was authorized to appear in this action. Through Plaintiffs' Submission of Documentary Evidence in Compliance (Docket #102), submitted with this motion at bar, Plaintiffs so provide the previously requested necessary documentation.

As such, the Plaintiffs' Motion is **GRANTED** in full. These proceedings shall continue. Plaintiffs' Motion for Summary Judgment is reinstated, as are all relevant subsequent submissions. Plaintiffs' Motion for Clarification (Docket #100) is thus **DENIED / MOOT**. The Clerk is advised to properly update Plaintiffs' counsel's new address for this and all future correspondence.

Date: August 14, 2001

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DANIEL R. DOMINGUEZ
U.S. DISTRICT JUDGE

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